

introduced by severing all marketing and consumer demand expertise from the BOC engineering and planning functions expected to produce efficient network design and capital investment decisions. As a consequence, requiring structural separation for BOC information services marketing would weaken BOCs' market presence relative to their competitors.

BOCs are already at a significant disadvantage relative to their competitors in marketing enhanced and information services. BOC competitors routinely market numerous telecommunications products and services jointly. These suppliers also offer bundles of services which BOCs are legally prevented from offering. In fact, today's consumers can find a wide range and multiple combinations of bundled services and products (including local exchange, long distance, cellular and information services, and CPE). They find these one-stop opportunities far more attractive than searching the marketplace to piece together service and equipment packages from several different suppliers. BOCs' relative marketing disadvantages should not be increased without substantial proof of egregious and willful anticompetitive conduct. There is no such proof. Rather, the BOCs' integrated provision and joint marketing of enhanced and information services have produced no negative effects on the growth of demand for these services, the rate at which new services are introduced, or the ability of numerous firms to enter this market profitably.

ATSI's claims are thus insufficient, as a matter of law, to justify a prospective rule. Reduced to its simplest terms, ATSI asks for "functional equivalence for unaffiliated telemessaging providers"⁵⁶ by denying the BOCs the opportunity to market jointly their

⁵⁶Implementation of the Telecommunications Act of 1996: Telemessaging, Electronic

telecommunications and information services. But nothing prevents ISPs and CLECs from jointly marketing their services, and many do so. In any case, the Commission only last year concluded that Section 260(a)(2) of the telemessaging statute "is not a guarantee of functional equivalence" and that precedent controls here.⁵⁷ Moreover, the Commission then also rejected Voice-Tel's claim that the BOCs should be required to market unaffiliated ISPs' services.⁵⁸ An outright bar on BOC joint marketing would be even more draconian, and clearly not justifiable in view of this prior conclusion. Even to the extent that any of its individual accusations may be cognizable, ATSI should be required to prove them up in a complaint proceeding directed to the allegedly offending carriers.

VI. SECTION 251-TYPE UNBUNDLING RIGHTS OBVIATE THE NEED FOR ONA BUT SHOULD NOT BE EXTENDED TO PURE ISPs.

As stated elsewhere herein, Section 251 of the Act extends various unbundling rights to telecommunications carriers, including those who may also provide information services. ONA unbundling is no longer necessary for ISPs that are also telecommunications carriers to whom Section 251-type unbundling rights must be extended.⁵⁹ That does not mean, however, that pure ISPs can or should obtain the benefits of Section 251 without more. In order to obtain such benefits, ISPs should be obligated to become telecommunications carriers or, at a minimum, partner with or obtain basic services from such carriers.

Publishing, and Alarm Monitoring Services, 12 FCC Rcd 5361 (1997), at ¶217.

⁵⁷*Id.*

⁵⁸*Id.*, at ¶¶224, 228.

⁵⁹FNPRM, ¶95.

Section 251(c) of the Act requires incumbent LECs, including the BOCs and GTE, to provide interconnection and access to unbundled network elements, and to offer telecommunications services for resale, to "telecommunications carriers."⁶⁰ A "telecommunications carrier" is statutorily defined as "any provider of telecommunications services, [except telecommunications services aggregators]."⁶¹ As the Commission concluded in the *Local Competition Order*, ISPs that do not also provide domestic or international telecommunications are not included within the term "telecommunications carrier."⁶² Accordingly, companies providing both information and telecommunications services are the beneficiaries of Section 251, but companies that provide only information services (i.e., "pure ISPs") have no such rights under Section 251.

The various ways by which pure ISPs may "indirectly" benefit from Section 251 represent the full extent of their rights under that section. Congress could well have included information service providers among those who would be accorded rights under Section 251, but it chose not to do so. Congress' choice is particularly significant given that unbundling under Section 251 is quite different and more extensive than the level of unbundling ISPs are entitled to under the Commission's ONA regime. For example, as the Commission notes, unbundling under Section 251 reaches the underlying facilities in a carrier's network, while unbundling under ONA is

⁶⁰47 U.S.C. §251(c).

⁶¹47 U.S.C. §153(44).

⁶²*Local Competition Order*, 11 FCC Rcd at 15990, ¶1995.

limited to the unbundling of basic services.⁶³ Furthermore, ONA unbundling does not also mandate interconnection on a carrier's premises of facilities owned by others.⁶⁴ Congress could well have granted pure ISPs the more extensive Section 251-type unbundling rights, but it clearly chose not to do so. That choice must be respected.

Nor should the Commission, pursuant to its general rulemaking authority, extend some or all of the rights accorded by Section 251 to pure ISPs. Doing so would be tantamount to imposing additional obligations under Section 251 that Congress did not intend to exact from BOCs. Moreover, as a matter of comity between two branches of government, where Congress has spoken directly to a specific subject, an agency should not employ general rulemaking authority to expand legal obligations beyond those intended by Congress.

VII. WHERE BOTH THE INTRALATA AND INTERLATA COMPONENTS OF AN INFORMATION SERVICE ARE PROVIDED BY A BOC'S SECTION 272 SEPARATE AFFILIATE, NO ONA REQUIREMENTS SHOULD APPLY.

Section 272 of the Act sets out the requirements applicable to a BOC's provision of interLATA information services. Nowhere does Section 272 impose the ONA framework with respect to those services. This omission constitutes a plain indication that Congress did not intend to apply the ONA framework to such interLATA information services. Moreover, imposition of the ONA framework in these circumstances would be unnecessary to protect the public interest.

The Bell Operating Company ex parte presentation of April 25, 1997, compared in

⁶³FNPRM, ¶93.

⁶⁴*Id.*

significant detail the various safeguards and related provisions associated with this CI-III ONA regime and the provisions of Section 272.⁶⁵ These provisions involve the various safeguards, including but not limited to, nondiscrimination generally, installation, maintenance, and repair reporting, and accounting safeguards. These comparisons demonstrate that Section 272's protections largely obviate the need for ONA with respect to the intraLATA component of information services offered by BOCs.⁶⁶

In addition, where a BOC provides information services on an interLATA basis, and thus establishes a separate affiliate to do so in accordance with Section 272, the BOC should be permitted to "elect" into Section 272 regulation with respect to the intraLATA component of such information service. In that event, the BOC would be required to abide by all provisions of Section 272, even with respect to the intraLATA component of the service. On the other hand, assuming such additional obligation should mean that the BOC would be relieved from ONA/CEI-related obligations with respect to that same intraLATA component. In this regard, it should be observed that Congress specifically considered and then decided the structural and non-structural safeguards applicable to interLATA information services, and there is no public policy or other reason to conclude that more stringent obligations are needed with respect to the intraLATA information service market.

⁶⁵In the Matter of Computer III Further Remand Proceedings: Bell Operating Company Provision of Enhanced Services, CC Docket No. 95-20, SBC Ex Parte of April 25, 1997, p. 13.

⁶⁶Within the past two years, SWBT has not received even a single request for a new ONA capability. In the past year, SWBT has received a total of only four requests for ONA Services Users Guide Diskettes, and PacBell only one request.

Of course, a BOC may, depending upon marketplace and other considerations, choose to offer an information service exclusively on an intraLATA basis. In such a case, Section 272 would not, by its terms, apply to the provision of such service. Therefore, where a BOC offers an information service on an exclusively intraLATA basis, the ONA regime should govern the provision of that service.

VIII. THE CEI PLAN PROCESS SHOULD BE ELIMINATED IN ITS ENTIRETY.

For several reasons, the Commission should eliminate the requirement that BOCs file and obtain Common Carrier Bureau ("Bureau") approval of a CEI plan before providing each new intraLATA information service. Experience has shown that the CEI process is time-consuming, costly and cumbersome. Further, in recent years, it has been of no particular benefit to anyone other than those who oppose CEI plan filings simply to slow BOC delivery of useful and innovative information services to consumers.

A. The Administrative and Other Burdens Associated with the CEI Plan Filing and Approval Process Far Outweigh Any Incremental Benefits.

The CEI process -- involving the preparation, filing, review, analysis and approval of CEI plans -- requires great investments of time, personnel and money, both by the BOCs and various organizations within the Commission. Even though very few objections to Bureau approval of these plans have been sustained over recent years, the CEI process has denied the BOCs a speedy "time to market" (i.e., a "delay in the introduction of new information services"⁶⁷) relative to the information service offerings of competitors who suffer no such regulatory constraints. These

⁶⁷FNPRM, ¶63.

delays are consuming increasingly greater periods of time, as shown by the following representative list of Southwestern Bell Telephone Company ("SWBT") CEI plan filings and approvals:

Voice Messaging - filed April 1, 1988 - approved September 29, 1988 (6 months)
Protocol Conversion - filed December 31, 1988 - approved March 9, 1989 (3 months)
Payment Processing - filed March 13, 1995 - approved October 31, 1995 (7 months)
Facsimile - filed August 3, 1995 - approved June 11, 1996 (10 months)
PC Backup/Recovery - filed August 3, 1995 - approved June 11, 1996 (10 months)
Security - filed April 4, 1996 - approved May 16, 1997 (13 months)
Internet Access - filed June 21, 1996 - not yet approved (already pending 9 months)

Competitors in a robust market generally are not and should not be treated disparately -- whether with regard to cost, "time to market," or other considerations -- by regulation. No different result should obtain in the "robust information services market."⁶⁸ Customers' purchasing decisions should be based on the relative merits of all services and products that technology can make available to them "up to the moment." Customers expect no less, and the range of choice available to them should not be limited without compelling public interest reasons.

In the same vein, the BOCs' competitors should not be permitted, under the guise of the CEI plan regime, to interpose objections to individual plans based on non-CEI-related considerations, such as the 1996 Act. Thus, to the extent that some in the industry have abused the process in this way, eliminating the process will remove competitors' ability to strategically stall BOC introduction of worthwhile services that meet all CEI-based concerns.⁶⁹

⁶⁸*Id.*, ¶ 1.

⁶⁹*See, e.g.,* Southwestern Bell Telephone Company's Comparably Efficient Interconnection Plan for Security Service, CC Docket Nos. 85-229, 90-623, and 95-20, *Order*, DA 97-1029, released May 16, 1997, at ¶¶ 15-16 (noting that objections to Bureau approval of

No discernible public policy or other consideration outweighs the administrative and marketplace burdens imposed by the current CEI process. As the Commission correctly observes, CEI plans were always intended to be but an interim measure, and are not necessary to protect against access discrimination by BOCs required to provide information services only pursuant to approved ONA plans. ONA provides ISPs even greater protection in this regard. Not only does ONA require BOCs to offer ISPs competing network services (the "CEI" obligation), it also requires the unbundling and tariffing of key BOC network service elements beyond those ISPs use to provide their own information service offerings.⁷⁰ The multitude of competitors in the information services market is a testament to the success of ONA, and the CEI plan approval process provides no incremental benefit that would justify its preservation.

In addition, any possibility of access discrimination generally is further diminished, if not eliminated, by the unbundling and network disclosure requirements of Section 251 of the 1996 Act. These statutory provisions direct BOCs to open the local exchange market to competition, and ensure that BOCs timely and publicly disclose information about their basic network

SWBT's plan were based on Section 275 of the Act); Bell Atlantic Telephone Companies Offer of Comparably Efficient Interconnection to Providers of Internet Access Services, CCBPol 96-09, *Order*, DA 96-891, released June 6, 1996, at ¶47 (concluding that arguments regarding Sections 251 and 252 of the Act were beyond the scope of the CEI proceeding). Similarly, SWBT's Internet Access CEI Plan meets all pertinent CEI parameters and nonstructural safeguards, yet remains unapproved because of non-CEI-related objections. There are several avenues available to correct any BOC shortcomings with respect to compliance with the 1996 Act, including, for example, commencement of complaint or enforcement proceedings. No parties' rights would be compromised were the Commission to eliminate the CEI plan process.

⁷⁰FNPRM, ¶61.

services. ISPs are indirect beneficiaries of these rights, which are sufficient for their purposes.⁷¹ Current legal requirements therefore afford ISPs adequate protection against any potential access discrimination.

Lifting the CEI plan filing and approval requirements in their entirety is appropriate under the circumstances.⁷² Moreover, doing so would further the Commission's statutory obligation to eliminate regulations that are "no longer in the public interest."⁷³

B. The BOCs Should Be Relieved of the Requirement to File Amendments to CEI Plans for Payphone Service.

To the extent that the Commission eliminates CEI plan filing requirements generally, it should also apply this action to the payphone arena. Specifically, BOCs should be relieved from filing any amendments to their already-approved payphone CEI plans.⁷⁴

⁷¹*Id.*, ¶62; *see also*, Section III, *supra*.

⁷²At the same time that the Commission eliminates the CEI plan filing requirement for the BOCs, it should also dismiss all pending CEI matters (including pending CEI plans and plan amendments, and requests for CEI plan waivers), on the condition that the BOCs comply with any new or modified final rules that may be established as a result of this proceeding. FNPRM, ¶75. Alternatively, the Commission should dismiss all pending CEI matters that do not raise bona fide issues "directly related to" CEI requirements. *Id.* Currently, only one CEI plan submitted by SBC's BOCs is pending with the Common Carrier Bureau. *See* Southwestern Bell Telephone Company's Comparably Efficient Interconnection Plan for Internet Support Services, CC Docket Nos. 85-229, 90-623, and 95-20, filed June 21, 1996. As SWBT has pointed out in the context of that proceeding, no party claims that SWBT's plan is objectionable under the Commission's *Computer III* requirements. SWBT's Comments in Opposition to Petition to Consolidate Proceedings, filed August 5, 1996. Accordingly, whether the Commission acts with respect to all pending CEI matters, or only with respect to those whose issues are not directly related to CEI requirements, the Commission should dismiss the pending SWBT Internet CEI plan proceeding.

⁷³*See*, 47 U.S.C. §161; FNPRM, ¶64.

⁷⁴FNPRM, ¶77.

In its 1996 *Payphone Order*, the Commission concluded that *Computer III* and ONA nonstructural safeguards would provide an appropriate regulatory framework within which to ensure that BOCs would not discriminate or cross-subsidize in their provision of payphone service.⁷⁵ The Commission remains free to modify the CEI-related aspect of this holding, and it should do so.

First, the general considerations outlined in Section A, above, are no less applicable to CEI plans for payphone operations. Second, as the ONA regime and accounting safeguards would provide sufficient protection to competing payphone providers, eliminating CEI plan amendment filing requirements would be in harmony with Congress' directive to review and eliminate unnecessary regulation.

Finally, such Commission action would not be inconsistent with Section 276 of the Act, which requires that the Commission prescribe a set of nonstructural safeguards for BOC provision of payphone service. Specifically, Section 276(b)(1)(C) requires that these safeguards "shall, at a minimum, include the nonstructural safeguards equal to those adopted in the *Computer Inquiry-III* (CC Docket No. 90-623) proceeding."

This language does not mean that the safeguards governing BOC provision of payphone services must include all of the CEI and ONA safeguards, nor should it be so construed. The safeguards actually "adopted" in the CC Docket No. 90-623 proceeding did not include CEI plans. To the contrary, the Commission on the one hand concluded that ONA constituted an

⁷⁵Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, CC Docket Nos. 96-128 and 91-35, *Report and Order*, FCC 96-388, released September 20, 1996 ("*Payphone Order*"), at ¶199.

effective safeguard, and on the other expressly recognized that its waiver to allow the filing and approval of CEI plans was but "interim" in nature and represented only a "transitional phase."⁷⁶

Where, as here, ONA provides even greater protection to payphone service providers than they would receive pursuant to the CEI regime, elimination of the CEI regime fully comports with Section 276 of the Act and is otherwise in the public interest.

C. BOCs Should Be Relieved of CEI Requirements for IntraLATA Information Services Offered Through Their Section 272 Affiliates In Any Event.

Even if the Commission does not eliminate CEI plan filing requirements for the BOCs in all circumstances, it should nonetheless eliminate such requirements with respect to any intraLATA information services offered by a BOC's Section 272 affiliate.⁷⁷ Both regulatory and marketplace considerations support such action.

Any concerns regarding potential access discrimination and cost misallocation in connection with the intraLATA components of a combined intraLATA/interLATA information service are sufficiently addressed by the accounting and non-accounting requirements of Section

⁷⁶Computer III Remand Proceedings: Bell Operating Company Safeguards and Tier 1 Local Exchange Company Safeguards, 6 FCC Rcd 7571 (1991) ("*BOC Safeguards Order*"), at ¶¶ 5, 62, 108 & n. 105.

⁷⁷FNPRM, ¶ 68. SBC understands that the issue presented is limited to the provision of intraLATA (not interLATA) information services, though not expressly acknowledged in the FNPRM. In the *Non-Accounting Safeguards Order*, the Commission concluded that the *Computer II*, *Computer III* and ONA requirements would "continue to govern BOC provision of intraLATA information services," and that the FNPRM in this proceeding would determine "how to regulate BOC provision of intraLATA information services in light of the 1996 Act." *Non-Accounting Safeguards Order*, at ¶¶ 132-133. Further, the FNPRM tentatively opines that it is unnecessary "[f]or the Commission to require that the BOCs also receive approval under a CEI plan for the intraLATA component of such service" that would combine both the intraLATA and

272 and the Commission's orders implementing those requirements.⁷⁸ As discussed in Section III, *supra*, these considerations justify relieving BOCs of any ONA/CEI-related burdens where BOCs would commit to the Section 272 requirements for combined intraLATA/interLATA information services offered through a Section 272 affiliate.

In addition, as noted in Section V, a BOC may want to provide a seamless information service to customers that would combine both the interLATA and intraLATA components of an information service. In such instances, the BOC's ability to compete in the information services market and, in particular, its ability to introduce new information services in a timely manner, should not be burdened by CEI requirements that are inapplicable to the interLATA component of a combined service. Moreover, consumers expect new and innovative services to be developed and brought to market within timelines driven by technology and market demand, not regulatory constraints uniquely applicable to noncompetitive markets. Thus, the Commission is quite correct in its view that a BOC's awaiting CEI approval is "likely to delay the provision of integrated services that would be beneficial to consumers."⁷⁹

Regardless whether the Commission eliminates the CEI regime in all contexts, it should surely eliminate it as to intraLATA information services offered by a BOC's Section 272 affiliate.

interLATA components. FNPRM, ¶69.

⁷⁸*Non-Accounting Safeguards Order*, at ¶¶146-191, 194-236, 272-292; Implementation of the Telecommunications Act of 1996: Accounting Safeguards Under the Telecommunications Act of 1996, 11 FCC Rcd 17539 (1996) ("*Accounting Safeguards Order*"), at ¶¶167-170.

⁷⁹FNPRM, ¶69.

D. BOCs Should Be Relieved of CEI Requirements for IntraLATA Information Services Offered Through Their Section 274 Affiliates In Any Event.

Even if the Commission does not eliminate CEI plan filing requirements for the BOCs in all circumstances, it should at least eliminate them with respect to any intraLATA information services, including any intraLATA electronic publishing services, that may be offered by a BOC's Section 274 separate affiliate.⁸⁰ Reasons similar to those identified in Section C, *supra*, clearly support taking such action.

First, Section 274 separation and nondiscrimination requirements, and the Commission's rules implementing those requirements,⁸¹ are sufficient to address any concerns regarding the potential for BOC access discrimination and misallocation of costs. The Commission specifically held that Section 274 applies to both interstate and intrastate electronic publishing services, and further that the nondiscrimination requirements of Section 274(d) apply to both intraLATA and interLATA electronic publishing services.⁸²

Second, of all of the provisions of the 1996 Act made specifically applicable to BOCs, Section 274 may well be regarded as the most detailed and comprehensive. As noted by the Commission, Congress' having set forth detailed rules for the specific provision of electronic publishing services by BOCs militates in favor of eliminating any CEI requirements that

⁸⁰*Id.*, ¶ 72.

⁸¹Implementation of the Telecommunications Act of 1996: Telemessaging, Electronic Publishing, and Alarm Monitoring Services, 12 FCC Rcd 5361 (1997), at ¶¶ 58-115.

⁸²*Id.*, ¶¶ 15, 200.

otherwise would have been applicable.⁸³ Indeed, to the extent that the Commission's decision applying Section 274(d) to intraLATA services rests on its assessment that Congress intended that application, such an assessment implicitly assumes that Congress did not intend for other rules (e.g., ONA/CEI) to apply as well.

IX. CONCLUSION

The Commission should allow BOC integration of intraLATA information services, and should allow a BOC to elect into the Section 272 interLATA information service requirements for any intraLATA component of such a mixed inter/intraLATA information service. Section 251 unbundling obligations obviate the need for ONA but should not/need not be extended to

⁸³FNPRM, ¶ 73.

ISPs. The CEI plan filing and approval process should now (again) be eliminated. These Commission actions will ensure continued expansion of information service competition, to the benefit of all consumers.

Respectfully submitted,
SBC Communications Inc.

By Robert J. Gryzmala
Robert M. Lynch
Durward D. Dupre
Michael J. Zpevak
Robert J. Gryzmala

Attorneys for
SBC Communications Inc.

One Bell Center, Room 3532
St. Louis, Missouri 63101
(314) 235-2515

March 27, 1998

CERTIFICATE OF SERVICE

I, Katie M. Turner, hereby certify that the foregoing, "COMMENTS OF SBC COMMUNICATIONS, INC." in CC Docket No. 95-20 has been filed this 27th day of March, 1998 to the Parties of Record.

A handwritten signature in cursive script, reading "Katie M. Turner", written over a horizontal line.

Katie M. Turner

March 27, 1998

POLICY AND PROGRAM PLANNING
DIVISION
COMMON CARRIER BUREAU
1919 M STREET NW ROOM 544
WASHINGTON DC 20554
(2 COPIES)

JAMES S BLASZAK
D E BOEHLING
ATTORNEYS FOR AD HOC TELECOM USERS
COMMITTEE
LEVINE BLASZAK BLOCK & BOOTHBY LLP
2001 L STREET NW
SUITE 900
WASHINGTON DC 20036

ALBERT H KRAMER
ROBERT F ALDRICH
DANA J LESEMAN
KECK MAHIN CATE
AMERICAN PUBLIC COMMUNICATIONS
COUNCIL
1201 NEW YORK AVENUE NW
PENTHOUSE SUITE
WASHINGTON DC 20005-3919

HOLLIS G DUENSING
GENERAL SOLICITOR
THE ASSOCIATION OF AMERICAN
RAILROADS
50 F STREET NW
WASHINGTON DC 20001

HENRY D LEVINE
MARY O'CONNELL
MORRISON & FOERSTER
CALIFORNIA BANKERS CLEARING
HOUSE ASSOCIATION
2000 PENNSYLVANIA AVE NW
SUITE 5500
WASHINGTON DC 20006

STEPHEN D RUUD
COMMISSION COUNSEL
COLORADO PUBLIC UTILITIES
COMMISSION
1580 LOGAN STREET OL-2
DENVER CO 80203

HERBERT E MARKS
JODY D NEWMAN
SQUIRE SANDERS & DEMPSEY
STATE OF HAWAII
1201 PENNSYLVANIA AVE NW
PO BOX 407
WASHINGTON DC 20004

JOHN F DODD
BRAD I PEARSON
SMITH GILL FISHER & BUTTS
INDEPENDENT TELECOMMUNICATIONS
NETWORK INC
ONE KANSAS CITY PLACE
1200 MAIN STREET 35TH FL
KANSAS CITY MO 64105-2107

J ROGER WOLLENBERG
W SCOTT BLACKMER
WILMER CUTLER & PICKERING
INTERNATIONAL BUSINESS MACHINES
CORPORATION
2445 M STREET NW
WASHINGTON DC 20037

HENRY L BAUMANN
TERRY L ETTER
NATIONAL ASSOCIATION OF
BROADCASTERS
1771 N STREET NW
WASHINGTON DC 20036

**W BENNY WON
ASSISTANT ATTORNEY GENERAL
OREGON PUBLIC UTILITY COMMISSION
JUSTICE BUILDING
SALEM OREGON 97310**

**JOSEPHINE S TRUBEK
GENERAL COUNSEL
ROCHESTER TELEPHONE CORP
180 S CLINTON AVENUE
ROCHESTER NEW YORK 14646**

**SHARON L NELSON
WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION
1300 S EVERGREEN PARK DR SW
OLYMPIA WASHINGTON 98504-9022**

**SAMUEL LOUDENSLAYER
ARKANSAS PUBLIC SERVICE
COMMISSION
1000 CENTER STREET
LITTLE ROCK AR 72203-0400**

**ROWLAND CURRY
PUC OF TEXAS
7800 SHOAL CREEK BLVD STE 400N
AUSTIN TEXAS 78757**

**MARIBETH D SNAPP
DEPUTY GENERAL COUNSEL
OKLAHOMA CORPORATION COMMISSION
PO BOX 52000-2000
OKLAHOMA CITY OK 73152-2000**

**BENJAMIN A MCKNIGHT
CHAIRMAN
AICPA PUBLIC UTILITIES
COMMITTEE
1211 AVENUE OF THE AMERICAS
NEW YORK NY 10036**

**HERBERT E MARKS
JONATHAN JACOB NADLER
JEFFREY A CAMPBELL
SQUIRE SANDERS & DEMPSEY
THE INDEPENDENT DATA
COMMUNICATIONS
MANUFACTURERS ASSOCIATION INC
1201 PENNSYLVANIA AVENUE NW
PO BOX 407
WASHINGTON DC 20044**

**ANN J LAFRANCE
KERRY E MURRAY
SQUIRE SANDERS & DEMPSEY
MCGRAW-HILL INC
1201 PENNSYLVANIA AVENUE NW
P O BOX 407
WASHINGTON DC 20044**

**WARD W WUESTE HQE03J43
600 HIDDEN RIDGE
IRVING TEXAS 75038**

**RICHARD MCKENNA HQE03J36
GTE SERVICE CORPORATION
PO BOX 152092
IRVING TEXAS 75015-2092**

**JOHN F STURM
SENIOR VICE PRESIDENT
GOVERNMENT LEGAL AND POLICY
NEWSPAPER ASSOCIATION OF AMERICA
529 14TH STREET NW
SUITE 440
WASHINGTON DC 20045-1402**

**RICHARD E WILEY
MICHAEL YOURSHAW
STEVEN A AUGUSTINO
WILEY REIN & FIELDING
ATTORNEYS FOR NEWSPAPER
ASSOCIATION
OF AMERICA
1776 K STREET NW
WASHINGTON DC 20006**

**ITS INC
1231 20TH STREET
GROUND FLOOR
WASHINGTON, DC 20036**

**M ROBERT SUTHERLAND
A KIRVEN GILBERT III
BELLSOUTH TELECOMMUNICATIONS INC
1155 PEACHTREE STREET
SUITE 1700
ATLANTA GEORGIA 30309-3610**

**MICHAEL E. GLOVER
LAWRENCE W KATZ
COUNSEL FOR THE BELL ATLANTIC
TELEPHONE COMPANIES
1320 NORTH COURT HOUSE ROAD
ARLINGTON, VIRGINIA 22201**

**WERNER K HARTENBERGER
J G HARRINGTON
STEVEN F MORRIS
DOW LOHNES & ALBERTSON
ATTORNEYS FOR COX ENTERPRISES
1255 TWENTY-THIRD STREET NW
SUITE 500
WASHINGTON DC 20037**

**GLENN B MANISHIN
JOHN S DI BENE
CHARON J HARRIS
BLUMENFELD & COHEN
1615 M STREET NW SUITE 700
WASHINGTON DC 20036**

**RANDOLPH J MAY
DAVID I ADELMAN
ATTORNEYS FOR COMPUSERVE INC
SUTHERLAND ASBILL & BRENNAN
1275 PENNSYLVANIA AVE NW
WASHINGTON DC 20004-2404**

**MICHAEL S PANEK
ATTORNEY FOR AMERITECH
2000 WEST AMERITECH CENTER DRIVE
ROOM 4H84
HOFFMAN ESTATES IL 60196-1025**

**WILLIAM D BASKETT III
JOHN K ROSE
CHRISTOPHER J WILSON
ATTORNEYS FOR CINCINNATI BELL
TELEPHONE CO
2500 PNC CENTER
201 EAST FIFTH STREET
CINCINNATI OHIO 45202**

**JEFFREY A. CAMPBELL
SQUIRE, SANDERS & DEMPSEY
ATTORNEY FOR MCI
TELECOMMUNICATIONS
CORPORATION, INFORMATION
TECHNOLOGY ASSOC. OF AMERICA,
AND COMPUSERVE INCORPORATED
1201 PENNSYLVANIA AVENUE NW
PO BOX 407
WASHINGTON DC 20044-0407**

**RICHARD A ASKOFF
ATTORNEY FOR THE NATIONAL
EXCHANGE
CARRIER ASSOC INC
100 SOUTH JEFFERSON ROAD
WHIPPANY NEW JERSEY 07981**

**STEVEN J METALITZ
VP AND GENERAL COUNSEL
INFORMATION INDUSTRY ASSOCIATION
555 NEW JERSEY AVENUE NW
SUITE 800
WASHINGTON DC 20001**

**DANIEL L BRENNER
DAVID L NICOLL
ATTORNEYS FOR THE NATIONAL CABLE
TELEVISION ASSOC INC
1724 MASSACHUSETTS AVENUE NW
WASHINGTON DC 20036**

**ALBERT H KRAMER
ROBERT F ALDRICH
DANA J LESEMAN
ATTORNEYS FOR THE NORTH
AMERICAL TEL ASSOC
KECK MAHIN & CATE
1201 NEW YORK AVENUE NW
PENTHOUSE SUITE
WASHINGTON DC 20005-3919**

**PAUL RODGERS
CHARLES D GRAY
JAMES BRADFORD RAMSAY
NATIONAL ASSOC OF REGULATORY
UTILITY COMMISSIONERS
1102 ICC BUILDING
P O BOX 684
WASHINGTON DC 20044**

**EDWARD R WHOLL
CAMPBELL L AYLING
WILLIAM J BALCERSKI
COUNSEL FOR NYNEX
1111 WESTCHESTER AVENUE
WHITE PLAINS NY 10604**

**OFFICE OF ATTORNEY GENERAL
OFFICE OF CONSUMER ADVOCATE
1425 STRAWBERRY SQUARE
HARRISBURG PA 17120**

**KEITH J. EPSTEIN
BRUCE A. RAMSEY
PACIFIC BELL/NEVADA BELL
3401 CROW CANYON ROAD, SUITE 100
SAN RAMON, CALIFORNIA 94583**

**JAMES L WURTZ
MARGARET E GARBER
PACIFIC BELL/NEVADA BELL
1275 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20004**

**JAMES L WURTZ
ATTORNEY FOR PACTEL
1275 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20004**

**ANNE U MACCLINTOCK
VP-REGULATORY AFFAIRS
& PUBLIC POLICY
227 CHURCH STREET
NEW HAVEN CONNECTICUT 06510**

**R MICHAEL SENKOWSKI
JEFFREY S LINDER
WILEY REIN & FIELDING
1776 K STREET NW
WASHINGTON DC 20006**

**JAY C KEITHLEY
ATTORNEY FOR THE UNITED AND
CENTRAL TELEPHONE COMPANIES
1850 M STREET NW
SUITE 1100
WASHINGTON DC 20036**

**CRAIG T SMITH
ATTORNEY FOR THE UNITED AND
CENTRAL TELEPHONE COMPANIES
P O BOX 11315
KANSAS CITY MO 64112**

**MARY MCDERMOTT
VP AND GENERAL COUNSEL
1401 H STREET NW
SUITE 600
WASHINGTON DC 20005**

**ROBERT B. MCKENNA
ATTORNEY FOR U S WEST
COMMUNICATIONS INC
1020 19TH STREEET NW
SUITE 700
WASHINGTON DC 20036**

**JEFFREY SHELDON
THOMAS GOODE
ATTORNEYS FOR THE UTILITIES
TELECOMMUNICATIONS COUNCIL
1140 CONNECTICUT AVE NW
SUITE 1140
WASHINGTON DC 20036**

**GAIL POLIVY
1850 M STREET NW
SUITE 1200
WASHINGTON DC 20036**

**JOHN J LANGHAUSER
MARK C ROSENBLUM
CLIFFORD K WILLIAMS
ATTORNEYS FOR AT&T CORP
295 NORTH MAPLE AVENUE
ROOM 3244J1
BASKING RIDGE NEW JERSEY 07920**

**JANET RENO
ATTORNEY GENERAL OF
UNITED STATES OF AMERICA
DEPARTMENT OF JUSTICE
10TH ST & CONSTITUTION AVE NW
ROOM 4400
WASHINGTON DC 20530**

**WILLIAM KENNARD
FEDERAL COMMUNICATIONS
COMMISSION
OFFICE OF GENERAL COUNSEL
1919 M STREET NW RM 602
WASHINGTON DC 20554**

**PEGGY REITZEL
POLICY AND PROGRAM PLANNING
DIVISION
COMMON CARRIER BUREAU
1919 M STREET NW
ROOM 544
WASHINGTON DC 20554**

**MAUREEN O HELMER
GENERAL COUNSEL
NEW YORK STATE DEPARTMENT OF
PUBLIC SERVICE
THREE EMPIRE STATE PLAZA
ALBANY NY 12223**

**CHERYL L PARRINO
SCOTT A NEITZEL
PUBLIC SERVICE COMMISSION OF
WISCONSIN
610 NORTH WHITNEY WAY
PO BOX 7854
MADISON WI 53707-7854**

**ALAN J GARDNER
JERRY YANOWITZ
JEFFREY SINSHEIMER
CALIFORNIA CABLE TV ASSOC.
4341 PIEDMONT AVENUE
OAKLAND CALIFORNIA 94611**

**FRANK W LLOYD
DONNA N LAMPERT
SARA F SEIDMAN
MINTZ LEVIN COHN FERRIS
GLOVSKY AND POPEO PC
ATTORNEYS FOR THE NATIONAL CABLE
TELEVISION ASSOCIATION INC.
701 PENNSYLVANIA AVENUE NW
SUITE 900
WASHINGTON DC 20004**

**CATHERINE R. SLOAN
RICHARD FRUCHTERMAN
LDDS COMMUNICATIONS INC
1120 CONNECTICUT AVENUE NW
WASHINGTON DC 20034**

**PETER A ROHRBACH
LINDA L OLIVER
HOGAN & HARTSON
555 13TH STREET NW
WASHINGTON DC 20005**

**RONALD L PLESSER
JULIE A GARCIA
MARK J OCONNOR
PIPER & MARBURY
COUNSEL FOR THE COMMERCIAL
INTERNET EXCHANGE ASSOCIATION
1200 19TH STREET NW
SEVENTH FLOOR
WASHINGTON DC 20036**

**ROBERT J BUTLER
PAUL C SMITH
WILEY REIN & FIELDING
ATTORNEYS FOR THE ASSOCIATION OF
TELEMESSAGING SERVICES
INTERNATIONAL INC
1776 K STREET NW
WASHINGTON DC 20006**

**ALBERT SHULDINER
ASSISTANT GENERAL COUNSEL
INFORMATION INDUSTRY ASSOCIATION
555 NEW JERSEY AVENUE NW
SUITE 800
WASHINGTON DC 20001**

**JOSEPH P MARKOSKI
JONATHAN JACOB NADLER
JEFFREY A CAMPBELL
SQUIRE SANDERS & DEMPSEY
ATTORNEYS FOR THE INFORMATION
TECHNOLOGY ASSOC OF AMERICA
1201 PENNSYLVANIA AVENUE NW
PO BOX 407
WASHINGTON DC 20044**

**FRANK W KROGH
DONALD J ELARD
1801 PENNSYLVANIA AVE NW
WASHINGTON DC 20006**

**SUSAN M MILLER
VP AND GENERAL COUNSEL
COUNSEL FOR THE INFORMATION
INDUSTRY LIAISON COMMITTEE
1200 G STREET NW SUITE 500
WASHINGTON DC 20005**

**ANDREW D LIPMAN
MARK SIEVERS
SWIDLER & BERLIN CHARTERED
COUNSEL FOR MFS COMMUNICATIONS
GROUP INC
3000 K STREET NW SUITE 300
WASHINGTON DC 20007**

**JANICE MYLES
FCC
COMMON CARRIER BUREAU
1919 M ST NW RM 544
WASHINGTON DC 20554**

**DANNY E ADAMS
STEVEN A AUGUSTINO
KELLEY DRYE & WARREN LLP
COUNSEL FOR ALARM INDUSTRY
COMMUNICATIONS COMMITTEE
1200 19TH ST NW STE 500
WASHINGTON DC 20036**